

U.S. Appln. No. 09/864,696
Amendment Dated June 22, 2005
Reply to Office Action of Feb. 22, 2005
Docket No. 6169-224

IBM Docket No.: BOC9-2000-0091

REMARKS/ARGUMENTS

These remarks are submitted responsive to the final Office Action of February 22, 2005 (Office Action) and the subsequent Advisory Action of May 19, 2005 (Advisory Action). This response is filed after the 3-month shortened statutory period, and as such, a retroactive extension of time is herein requested. The Examiner is authorized to charge the appropriate extension fee to Deposit Account 50-0951.

In paragraph 5, the Examiner has rejected claims 1-4, 6-11, and 13-23 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,480,890 to Lee, *et al.* (Lee). In paragraph 6, the Examiner has rejected claims 5 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of U.S. Patent No. 6,178,438 to Tschirhart, *et al.* (Tschirhart).

In the present Office Action, the Examiner has re-asserted previous arguments. In doing so, the Examiner stated that the Applicants failed to comply with 37 CFR 1.111(b). Apparently, despite the Applicants' previous attempts, the comments presented in their previous reply were not articulated in a clear enough manner for the Examiner to comprehend the novelty of the claimed invention.

In the current response, Applicants have attempted to articulate their claimed invention in a different manner. Applicants have also amended the claims to define elements of the SLEE architecture (that were previously claimed and defined within the specification) within the claims themselves.

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Applicants respectfully ask the Examiner to call the Applicants (direct dial line 954-759-8937) to resolve any confusions that may be present in the present response so that the Applicants and Examiner, working together, can expedite the prosecution of this case.

Addressing the claim amendments, Applicants have amended claims 1, 2, 8, and 16. Specifically, claims 1, 2, 8, and 16 have been amended to clarify that the SLEE is configured for compatibility with a JAIN specification, as supported by page 12, lines 4-5). Additionally, the SLEE can be included within a service layer of a JAIN compliant network, said JAIN compliant network comprising the service layer, a protocol layer, an application layer, and a signaling layer, as supported by page 11, lines 1-4. Additionally, the service components and the IESC of executing within the SLEE can be JAIN compliant components, as supported between page 4, line 37 and page 5, line 9. Claims 1, 8, and 16 have been amended to clarify that the IESC provides external applications with access to the event handler of the SLEE, as supported by page 10, lines 10-18.

No new matter results from these amendments.

I. Claimed Limitations are not Taught by Cited References

Claims 1-4, 6-11, and 13-23 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Lee. In using Lee to reject the claims, the Examiner is taking a generic statement for a generic concept of computer science and is attempting to state that it inherently teaches a particular methodology that functions within a unique architecture

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(that of a SLEE), even though the particular methodology is not described by the references and even through the methodology that applies to the SLEE architecture was not conventionally known at the time of the Applicants' invention.

To clarify the situation, Applicants' shall attempt to analogize the current rejection in terms of a different art area, that of medical technologies. The Examiner's citing of Lee is similar to citing a medical reference that states "Physicians treat patients suffering from diseases and other medical ailments so that the patients become healthy" against an invention that claims a cure for cancer. A hypothetical cure for cancer (assuming one is developed) involves specific treatment steps not currently known in the field of medical technologies. Assuming steps are claimed for a cure for cancer (novel, useful, and non-obviousness criteria are assumed in this example assuming a valid cure is claimed as the cure for cancer has long been sought and has eluded researchers to date) it would be absurd to assert that these claims for curing cancer were anticipated by the above general statement that physicians treat patients.

A. Lee Teaches Providing a User with a Web Interface

Lee teaches a Web interface to a service creation environment (SCE), as noted at column 1, lines 50-59. The SCE of Lee is intended to permit a service subscriber to "update service parameters to maximize the benefits of the services they subscribe to," as noted at column 1, lines 37-40. That is, the Web interface of Lee can be any interface that permits a subscriber to modify service behavior from a Web browser, as noted by

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column 1, lines 44-48 and as illustrated in FIGS. 1 and 2 and by the interface screens of 4-15.

To summarize, the teachings of Lee are that a Web interface can be provided that allows a subscriber to modify at least one telecommunication service parameter. This modification occurs by passing the user selected parameter to a Web server, which makes suitable changes within a telephony server that provides the telephony services.

Lee uses a conventional Web conversion process to present information within the Web site (page 1, lines 50-54). Lee also uses conventional scripting techniques to convert user input received by a Web server to a form that can be understood within a service creation environment (column 1, lines 54-60).

B. Applicants Claim a Novel SLEE Component Called an Internet Enabled Service Component (IESC)

The Applicants' claimed teachings are for a novel service component executing within a SLEE of the service layer of a JAIN compliant network. It should be appreciated by one of ordinary skill in the art and clear from the specification (pages 3-5 and FIGS. 1 and 2) that JAIN is an open published standard, which includes a set of JAVA interfaces and tools that allow applications to provide value added services in telecommunication networks. A JAIN-compliant network includes a protocol layer, a signaling layer, an application layer, and a service layer. The SLEE is an environment within the service layer. Service components within the SLEE can interact with

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underlying protocol stacks without having specific knowledge of the protocol stack. Accordingly, the service components can use the call model provided by the servicing layer to implement telephony services (page 5, lines 1-5).

The SLEE relieves service components of conventional lifecycle responsibilities by providing portable support for transactions, persistence, load balancing, security, and object and connection instance pooling so that service components can be written with a narrow focus upon the telephony service that the service component provides (page 5, lines 5-9).

Based on conventional teachings in the art, it can be problematic for external applications to communicate with a service component in the SLEE. More specifically, the ability for external (to the SLEE) applications to communicate with internal service components can be dependent upon the interfaces written into specific service components. Thus, using conventional techniques, three different SLEE service components can each provide different interfaces (or no interface at all) for external applications to communicate with the SLEE components.

It should be noted that service components within the SLEE can interact with one another through the event handler of the SLEE. The Applicants have claimed a novel SLEE component, an IESC, that provides an interface via IESC defined API's to external applications. The IESC can receive input from external applications, convey the input to the event handler of the SLEE, which directs the input to a designated service component. Any service component within the SLEE can post messages to the IESC through the

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event handler, which the IESC receives and sends to external applications via the IESC defined APIs (page 5, lines 10-17; page 6, lines 1-10).

C. Lee Fails to Explicitly or Inherently Teach Claimed Limitation

First, Lee provides no teachings relating to service components executing within a SLEE environment (which operates within a service layer). Rather, Lee is concerned with a Web user interface to a Web server, where the Web server interfaces with a telephony server (column 1, lines 50-60). Lee's teachings actually teach away from the Applicants' invention, because the Applicants' claimed teachings permit an Internet application to directly interface with components internal to a telephony server (specifically service components within the SLEE environment) without having to utilize middleware for conversion (the Web server of Lee is used as middleware to parse service logic description information to a form understood by a Web browser and to use call scripting processes to communicate with the service creation environment).

Lee's teachings are directed towards a user Web interface and not towards an enhancement of a telephony infrastructure. That is, Lee's focus is entirely different from that of the Applicants' claimed invention. For the sake of clarity, Applicants have provided a list of claimed limitations that Lee fails to explicitly, inherently, or implicitly teach:

(1) Lee is silent regarding any directed teachings directed towards a SLEE that operates within the service layer of a JAIN compliant network

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(2) Lee is silent regarding an enhancement to an infrastructure used by a telephone server to provide telephony services

(3) Lee fails to teach a method where an event handler of a JAIN compliant SLEE permits SLEE service components to communicate with one another, where one of the SLEE components is an IESC

(4) Lee fails to teach an IESC service component of a SLEE that communicatively links an external program to the SLEE event handler

(5) Lee fails to teach an IESC that permits external applications to communicate with other service components within the SLEE

Because Lee fails to teach each claimed limitation, the 35 U.S.C. § 102(e) rejections to claims 1-4, 6-11, and 13-23 should be withdrawn, which action is respectfully requested.

II. Tschirhart fails to cure the deficiencies of Lee

Claims 5 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of Tschirhart.

Tschirhart teaches a service management system for an advanced intelligent network including a plurality of gateways in communication with a plurality of network nodes and service clients which may issue service requests. Tschirhart facilitates communications for a service creation environment so that network nodes that operate with dissimilar communications protocols can exchange information. Tschirhart is silent

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with regards to a JAIN compliant SLEE or with service components that execute within a JAIN compliant SLEE. Specifically, Tschirhart fails to teach that an event handler of a JAIN compliant SLEE permits SLEE service components to communicate with one another, where one of the SLEE components is an IESC; Tschirhart fails to teach an IESC that communicatively links an external program to the SLEE event handler; and, Tschirhart fails to teach an IESC that permits external applications to communicate with other service components within the SLEE.

Since neither Lee, Tschirhart, nor combinations thereof explicitly, inherently, or implicitly teach limitations of claims 5 and 12, 35 U.S.C. § 103(a) rejections based upon Lee in view of Tschirhart should be withdrawn, which action is respectfully requested.

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. The Applicant requests that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

Date: 22 JUNE 2005



Gregory A. Nelson, Registration No. 30,577
Brian K. Buchheit, Registration No. 52,667
AKERMAN SENTERFITT
Customer No. 40987
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000